

REMARKS

This application has been reviewed in light of the Official Action mailed November 22, 2000.

With respect to the Official Action, at page 2, paragraph 3, the proposed substitute drawing sheets are indicated as being partially approved. The Examiner correctly points out that Figs. 6 and 7 include conflicting reference numerals. In response, applicant submits a new set of proposed drawings in which the changes are indicated in red. It is noted that the numeral 39 and 39' are correctly indicated in the attached sheets and have been added to Fig. 2 of the drawings as well. Upon notification of approval, and receipt of a Notification of Allowance, applicants will submit formal drawings for entry in the application. Notification of acceptance of the changes is hereby requested.

At page 2, paragraph 4, claims 3, 4, 7, 8, 9 and 10 stand rejected under 35 U.S.C. §112. The term "the guide rail" is stated as being vague and indefinite at line 5 of claim 3. Further, at line 6, "each chain" is said to lack positive antecedent basis. In response, claim 3 has been amended (second amendment) to more clearly indicate that multiple chains are claimed and that a pair of sprockets are rotatably mounted on each guide rail. It is believed that this language is definite and that antecedent basis exists for all terms. Removal of the rejection under 35 U.S.C. §112 is therefore respectfully requested.

Claims 1-3, 7, 11, and 15 stand rejected under 35 U.S.C. §102(b) as anticipated by the Wiley patent. Applicant respectfully traverses the rejection.

In the Action, it is stated that the "aligning lugs" (e.g., 146), releasably interconnect the cutting guide to the working flights for movement therewith.

It is pointed out that nowhere does Wiley show or suggest that the pins 146 releasably interconnect the cutting guide to the working flights. To the contrary, Wiley shows a permanent connection to the chain by way of the pins 146. This statement is supported by the fact that Wiley requires the use of two cutting guides, one on each side of the saw blade.

If Wiley's fence or cutting guide was removable, there would be no need for separate sets of sprockets, chains, and cutting guide for each side of the cutting blade. Instead, the arrangement could be installed as shown in the present application in which only two chains are used and the cutting guide can be lifted from one side of the saw blade and re-installed on the other side.

Further clarification that the Wiley cutting guide is permanently attached may be found by examining Fig. 2 of the drawings where the cutting guide 23 (right side) is shown pivoted downwardly clear of the saw table and with the connection remaining between the guide and chains. Because the Wiley device has the fence permanently attached to the chains, special provision had to be made for situating the cutting guide out of the way when not in use. This is accomplished by allowing the fence

to rotate beyond the sprockets to the storage position shown on the right side of Fig. 2. Clearly, this would not be required if the cutting guide was removable as taught by the present Applicants.

Still further, independent claims 1, 3 and 11 all include limitations with respect to the aligning lugs releasably interconnecting the cutting guide and working flights in response to movement of the cutting guide in a direction toward the working flight or a direction normal to the working flights, or in a direction toward the planar top surface. This aspect is clearly not shown by Wiley, especially since the cutting guide is not removable from the chains.

It is further believed that there is no suggestion in the Wiley patent that would have lead one of ordinary skill to the structure set forth in the rejected claims. As explained above, Wiley clearly includes the cutting guides in fixed relation to the working flights. It is contended that Wiley teaches away from provisions whereby the cutting guides are removably mounted to the chains. As noted, this may be evidenced by the provision of two separate cutting guides and the special storage provisions for the cutting guides when they are not in use. In all situations, the cutting guides remain connected to the chains and there is no teaching or suggestion of removability.

For the above reasons, it is believed that independent claims 1, 3, and 11 are not anticipated or suggested by Wiley and that those claims should be reconsidered and found allowable.

Claims 2, 7, and 15 are believed to be allowable for the same reason set forth above since these claims incorporate the limitations of

allowable parent claims and add limitations thereto. Claims 2, 7, and 15 are therefore believed to be allowable.

Claims 4, 8, 9, 10, 12, 16 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wiley.

In this rejection, no evidence has been provided beyond "Official Notice" that it is old and well known in the art to provide additional structure that is not shown by Wiley. Applicant respectfully traverses the Examiner's statement that the recited structure is well known, and respectfully requests evidence in support of this position.

Specifically, applicant does not see the recited limitations in Wiley or in any of the cited remaining references or even a remote suggestion of such provisions. The particular structure set forth in applicant's claims, taken as a whole are not believed to be old and well known in the art, and certainly at least not without a showing of evidence in support of such rejection. If this rejection is maintained, applicants believe they are at least entitled to see evidence in support of the conclusions reached.

Further, it is pointed out that simple piecemeal selection of components in support of a rejection is improper. There must be some suggestion from the selected references of the combination set forth in the rejected claims. Thus, any reference cited in support of the "well known" statement should include some suggestion that would have lead a person of ordinary skill in the art to arrive at the structure presently claimed.


For the reasons set forth above, it is applicant's position that the claims as presently set forth are in allowable form. Reconsideration and allowance is therefore respectfully requested. Further, since generic claims

are believed to be allowable, reconsideration and allowance of the claims previously withdrawn from consideration is respectfully requested.

Should the Examiner have questions or suggestions to expedite this application to issuance, a telephone interview with the undersigned is cordially invited.

Respectfully submitted,

Dated: 1-16-01

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